

Amendment No. 1 to HB2301

Farmer
Signature of Sponsor

AMEND Senate Bill No. 2132*

House Bill No. 2301

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary, any provision of a settlement agreement entered into by a governmental entity that has the effect of prohibiting the disclosure of details or of identities of persons relating to a claim by any of the parties is void and unenforceable as contrary to the public policy of this state; except that identifying information concerning a person who is a victim of sexual harassment or an offense under title 39, chapter 13, part 5; title 39, chapter 17, part 10; § 39-13-111; § 39-13-605; § 39-15-302; § 39-15-401; or § 39-15-402 shall be deemed confidential until such person authorizes the disclosure of the information. Where the governmental entity enters into a settlement agreement incident to payment of monies to a plaintiff and the person or persons responsible for the liability are not identified, the chief executive officer and chair of the governing board, if any, shall certify under oath that a full investigation has been made into the matters alleged, and that the investigation was unable to identify a person or persons responsible for the acts giving rise to the liability.

(b) For purposes of this section, "governmental entity" means any lawfully established department, agency, or entity of this state or of any political subdivision of this state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.